

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.2.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.318 of 2018
and
C.M.P.No.2596 of 2018

G.Vimala

Appellant

Versus

1. The State rep. by
The Home Secretary,
Secretariats Office,
Chennai. Tamil Nadu.
2. The Director General of Police,
Office of the Director General,
Radhakrishnan Road, Mylapore.
Chennai.
3. The Commissioner of Police,
Commissioner Office, Vepery,
Periyamedu, Chennai.
4. Nazima Banu
The Inspector of All Women Police,
All Women Police Station, Tambaram,
Chennai.

Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 15.12.2017 passed in W.P.No.32672 of 2017 on the file of this court.

WP.No.32672 of 2017:Petition filed under Article 226 of the Constitution of India directing the respondents 1 to 3 to dispose of the Petitioner representation dated 21.11.2017 to take departmental action against the 4th respondent, Inspector of All Women Police, All Women Police Station, Tambaram Chennai within a time frame as may be filed by this Honourable Court.

For appellant : Mr.K.Jayakumar
For respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and Mr.P.S.Sivashanmugaundaram, learned Special Government Pleader, who takes notice on behalf of the respondents.

2. It appears that in connection with some matrimonial dispute, viz., one Gunasekar had cheated her and lived together, but, refused to live with her thereafter, the appellant had lodged a complaint with the fourth respondent-police against the said Gunasekar and since, no action had been taken, she had filed Criminal Original Petition No.19431 of 2017 and on the directions of the court in the Criminal Original Petition, FIR was registered and thereafter, the appellant had come up with the writ petition seeking a direction to respondents 1 to 3 to take departmental action against the fourth respondent on the allegation that the fourth respondent had threatened her with dire consequences. Since the writ petition was dismissed, the present writ appeal has been filed.

3. The learned Single Judge, on appreciating the factual position, has observed that the complaint had already been registered by the police and since the criminal proceedings have not come to an end, the court is not able to know who is at fault.

4. As rightly observed by the learned Single Judge, already the law is set in motion and it would be proceeded as per the Code. In the meanwhile, the appellant cannot have a request for proceeding against the police concerned alleging that no action had been taken immediately to register a complaint or that she had been threatened by the said police. The order passed by the learned Single Judge needs no interference. The writ appeal is disposed of. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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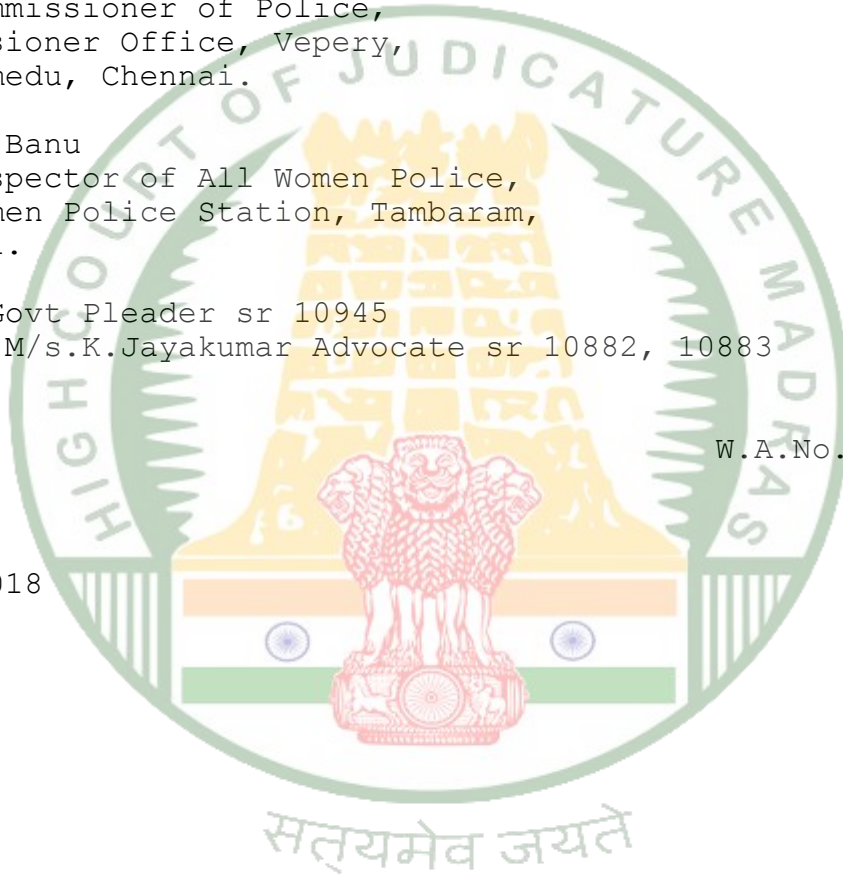
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+1 cc to Govt Pleader sr 10945

+4 ccs to M/s.K.Jayakumar Advocate sr 10882, 10883

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